

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

PATRICIA T. SABINI,

Plaintiff,

-against-

DEPT. FOR THE AGING,

Defendant.

USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC #:  
DATE FILED: 8/6/25

24-CV-7610 (JHR) (BCM)

**ORDER**

**BARBARA MOSES, United States Magistrate Judge.**

The Court has received and reviewed plaintiff's "Notice of Motion" (Dkt. 20) and supporting Declaration (Dkt. 21), which the Court construes as a proposed sur-reply in further opposition to defendant's motion to dismiss. (Dkt. 15.)

Normally, courts grant leave to file sur-replies only "when they address arguments raised for the first time in a reply brief." *Sec. & Exch. Comm'n v. Ripple Labs, Inc.*, 2022 WL 329211, at \*3 (S.D.N.Y. Feb. 3, 2022). Plaintiff's proposed sur-reply does not identify or address any argument "raised for the first time" in defendants' reply brief. Nonetheless, in light of plaintiff's pro se status, the Court will accept the filing. Defendant may file an optional response no later than **August 20, 2025**.

Thereafter, no further submissions will be accepted in support of or in opposition to the pending motion to dismiss the complaint.

Dated: New York, New York  
August 6, 2025

**SO ORDERED.**



**BARBARA MOSES**  
**United States Magistrate Judge**